

Before the  
Federal Communications Commission  
Washington, D.C. 20554

FCC 05M-18

04237

<b>In the Matter of</b>	)	<b>EB Docket No. 04-381</b>
	)	
<b>Florida Cable Telecommunications</b>	)	
<b>Association, Inc.; Comcast Cablevision of</b>	)	
<b>Panama City, Inc.; Mediacom Southeast,</b>	)	
<b>L.L.C.; and Cox Communications Gulf,</b>	)	
<b>L.L.C.,</b>	)	
	)	
<b>Complainants,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>Gulf Power Company,</b>	)	
	)	
<b>Respondent.</b>	)	

**ORDER**

**Issued:** March 30, 2005

**Released:** April 1, 2005

On March 23, 2005, Gulf Power filed a Motion for Extension of Time. On March 28, 2005, the Enforcement Bureau filed Response. On March 29, 2005, Complainants filed Response.

After considering all comments, previously set discovery and procedural dates were changed at Prehearing Conference conducted on March 30, 2005.<sup>1</sup> A new schedule is set forth below.

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<sup>1</sup> See Order FCC 05M-14, released March 18, 2005 (Presiding Judge sets prehearing conference).

The following reporting dates **ARE CANCELLED**:<sup>2</sup>

- May 2, 2005** - Interim Report on Pole Survey.
- May 3, 2005** - Status Conference on Pole Survey.
- May 16, 2005** - Preliminary Report on Pole Survey.

The following new dates **ARE SET**:

- April 18, 2005** - Parties to exchange answers/objections to interrogatories and document requests.
- April 29, 2005,** - Monthly Status Reports on Pole Survey.<sup>3</sup>  
    & the last business  
    day of each month  
    through **August 31,**  
    **2005**
- September 30, 2005-** Preliminary Report on Pole Survey.<sup>4</sup>
- October 31, 2005** - Final Report on Pole Survey.<sup>5</sup>
- November 18, 2005** - Exchange Summaries and Curriculum Vitae of Testifying Experts.
- November 28 to** - Depositions of Testifying Experts.  
**December 12, 2005**
- December 16, 2005** - Discovery Completed.

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<sup>2</sup> See Orders FCC 05M-03 and FCC 05M-06.

<sup>3</sup> Each Status Report shall contain at a minimum: (1) number of poles to be surveyed; (2) number of poles actually surveyed; (3) number of poles estimated being at full capacity; (4) any problems encountered with survey (e.g. weather); (5) time estimated for completing survey.

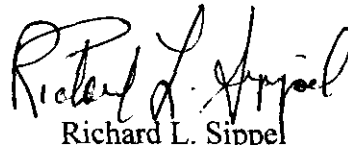
<sup>4</sup> See Order FCC 05M-03, released February 2, 2005, to include elements under Status Report and summary of preliminary conclusions reached. The Preliminary Report shall also identify each person who participated in its preparation.

<sup>5</sup> There must be included in the Final Report the identity and qualifications of the person who will sponsor, under oath, the introduction of the Final Report in evidence, and the identity of each person who participated in its preparation.

- January 13, 2006** - Exchange Cases.<sup>6</sup>
- January 23, 2006** - Notify Witnesses for Cross-Examination.
- January 23, 2006** - Submit Hearing Subpoenas( if needed).
- February 7, 2006** - Document Admission Session at 9:30 a.m.
- March 3, 2006** - Gulf Power Trial Brief
- March 20, 2006** - Reply Trial Briefs
- March 28, 2006** - Hearing at 9:30 a.m.

SO ORDERED.

FEDERAL COMMUNICATIONS COMMISSION<sup>7</sup>



Richard L. Sippel  
Chief Administrative Law Judge

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<sup>6</sup> For instructions on assembling of cases to be exchanged, see *Prehearing Order* FCC 04M-28, released October 1, 2004, fn. 7.

<sup>7</sup> Courtesy copies of this *Order* were transmitted to counsel for each of the parties by e-mail on the date of issuance.